



Legislation Text

File #: 0906-2017, **Version:** 1

1. BACKGROUND:

In 1966, pursuant to Ordinance 1151-66, the City of Columbus vacated a portion of Seventh Avenue between the east right-of-way line of High Street and the west right-of-way line of Pearl Street and reserved a utility easement for existing utilities. The Department of Public Service recently received a request from CA Student Living Columbus Property Owner, LLC asking that the City release the reserved easement over this area to clear title and allow the redevelopment of the site. After receipt of this request the Department of Public Service Division of Infrastructure Management verified with all the public and private utility companies that there are no public utilities or need for this easement, located within the requested area and that they have no objections to this portion of the easement being released. The following legislation authorizes the Director of the Department of Public Service to execute those documents necessary to release the portions of easement described below and attached exhibit to allow the redevelopment of the real property.

2. FISCAL IMPACT

The City will receive a total of \$500.00, to be deposited in Fund 7748, Project P537650, for releasing of the easement so the property can be redeveloped.

To authorize the Director of the Department of Public Service to execute those documents necessary to release portions of the utility easement on Seventh Avenue between the east right-of-way line of High Street and the west right-of-way line of Pearl Street. (\$0.00)

WHEREAS, in 1966, pursuant to Ordinance 1151-66, the City of Columbus vacated a portion of Seventh Avenue between the east right-of-way line of High Street and the west right-of-way line of Pearl Street and reserved a utility easement for existing utilities.; and

WHEREAS, the Department of Public Service recently received a request from CA Student Living Columbus Property Owner, LLC. asking that the City release the reserved easement over this area to clear title and allow the redevelopment of the site; and

WHEREAS, Department of Public Service, Division of Infrastructure Management, verified with all the public and private utility companies that there are no public utilities or need for this easement, located within the requested area and that they have no objections to this portion of the easement being released; and

WHEREAS, it has become necessary in the usual daily operation of the Department of Public Service to authorize the Director to execute those documents necessary to release the portions of easement described below and attached exhibit to allow the redevelopment of the real property; **NOW, THEREFORE;**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. To authorize the Director of the Department of Public Service to execute those documents necessary to release the easement as reserved in Ordinance 1151-66 and to execute the document as necessary and approved by the Real Estate Department, City Attorney's Office, to release the portion of easement areas as described below and exhibit attached:

Easement Area to be released:

0.113 ACRES (4,936 S.F.)

Situated in the State of Ohio, County of Franklin, City of Columbus, being all of Seventh Avenue vacated by City of Columbus by Ordinance No. 1151-66 and conveyed to CA Student Living Columbus Property Owner, LLC as described in Instrument Number 201611100155879, all references being those of record in the Franklin County, Ohio Recorder's Office and being more particularly described as follows:

Beginning at the southeast corner of Lot 7 of John Marzetti's North High Street Addition as is numbered and delineated on the recorded plat thereof, of record in Plat Book 3, Page 308, at the northeast corner of said vacated portion of Seventh Avenue and in the west line of Pearl Street, 20 feet wide;

Thence southerly, along the east lines of said vacated portion of Seventh Avenue and of said CA Student Living Columbus Property Owner, LLC tract and along the west line of North Pearl Street, South 08 degrees 17 minutes 17 seconds East, 12.93 feet to the southeast corner of said vacated portion of Seventh Avenue and of said CA Student Living Columbus Property Owner, LLC tract also being in the north line of a tract conveyed to City of Columbus in Deed Book 111, Page 383 and in the north line of East Seventh Avenue;

Thence westerly, along the north lines of said City of Columbus tract and of East Seventh Avenue and the south lines of said vacated portion of Seventh Avenue and said CA Student Living Columbus Property Owner, LLC tract, South 77 degrees 10 minutes 43 seconds West, 122.29 feet to a point of curvature;

Thence westerly, continuing along the north line of said East Seventh Avenue and the south lines of said vacated portion of Seventh Avenue and of said CA Student Living Columbus Property Owner, LLC tract, with a non-tangent curve to the right having a radius of 25.00 feet, a central angle of 97 degrees 06 minutes 24 seconds, an arc length of 42.37 feet, and a chord which bears North 54 degrees 25 minutes 54 seconds West, 37.48 feet to the intersection of the north line of E. Seventh Avenue and the east line of N. High Street;

Thence westerly, continuing along the north line of said East Seventh Avenue and the south lines of said vacated portion of Seventh Avenue and of said CA Student Living Columbus Property Owner, LLC tract, North 89 degrees 15 minutes 52 seconds West, 1.08 feet to the intersection of the north line of said E. Seventh Avenue and the east line of N. High Street, 66 feet wide, and being the southwest corner of said vacated portion of Seventh Avenue and of said CA Student Living Columbus Property Owner, LLC tract;

Thence northerly, along the east line of said N. High Street and the west line of said vacated portion of Seventh Avenue and said CA Student Living Columbus Property Owner, LLC tract, North 08 degrees 17 minutes 17 seconds West, 27.06 feet to the northwest corner of said vacated portion of Seventh Avenue;

Thence easterly, along the north line of said vacated portion of Seventh Avenue and crossing said CA Student Living Columbus Property Owner, LLC tract, South 86 degrees 45 minutes 27 seconds East, 153.09 feet to the **TRUE POINT OF BEGINNING** containing 0.113 acres (4,936 S.F.) more or less;

The bearings are based upon the Ohio State Plane Coordinate System, South Zone, NAD83 (CORS96). The bearings originated from a field traverse which was tied to said coordinate system by GPS observations and observations of selected stations in the Ohio Department of Transportation Virtual Reference Station Network. The East right-of-way line of N. High Street with a bearing of North 08° 17' 17" West is designated the basis of bearings for this survey.

This description was prepared by Matthew E. Ferris, Registered Surveyor No. 8230, E. P. Ferris & Associates, Inc. on March 15, 2017.

SECTION 2. The City will receive a total of \$500.00, to be deposited in Fund 7748, Project P537650, for releasing of the easement so the property can be redeveloped

SECTION 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.